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Chrome Hearts, LLC*

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CHROME HEARTS, LLC.,

Plaintiff,

vs.

J. JULIANO dba DKNY MELROSE, et
al.,

Defendants.

CASE NO. CV 08-3328 VBF (FFMx)

***ORDER RE CONSENT JUDGMENT
INCLUDING A PERMANENT
INJUNCTION; VOLUNTARY
DISMISSAL WITH PREJUDICE AS
TO DEFENDANTS MELEE 17, INC.
and JAY CHOI***

Plaintiff Chrome Hearts, LLC and Defendants Melee 17, Inc. and Jay Choi (“Defendants”) have entered into a Settlement Agreement and Mutual Release as to the claims in the above referenced matter. Defendants, having agreed to consent to the below terms, it is hereby:

ORDERED, ADJUDGED, and DECREED as among the parties hereto that:

1. This Court has jurisdiction over the parties to this Final Judgment and has jurisdiction over the subject matter hereof pursuant to 15 U.S.C. § 1121.

2. Plaintiff has alleged that Defendants’ purchase and sale of counterfeit merchandise bearing piratical copies of Plaintiff’s trademarks and copyrighted works constitutes trademark infringement under the Lanham Act and copyright infringement

1 and unfair competition under the Copyright Laws, 17 U.S.C. § 501, et seq and under
2 the common law.

3 3. Defendants and their agents, servants, employees and all persons in active
4 concert and participation with them who receive actual notice of this Final Judgment
5 are hereby permanently restrained and enjoined from infringing upon the Chrome
6 Hearts trademarks and copyrighted works, either directly or contributorily, in any
7 manner, including generally, but not limited to manufacturing, importing, distributing,
8 advertising, selling and/or offering for sale any unauthorized product bearing the
9 Chrome Hearts trademarks and/or copyrighted works, or words or marks confusingly
10 similar or substantially similar thereto, and, specifically from:

11 (a) Importing, manufacturing, distributing, advertising, selling and/or
12 offering for sale products which picture, reproduce, copy or use the likenesses of or
13 bear a substantial similarity to any of the Chrome Hearts trademarks and/or
14 copyrighted works.

15 (b) Importing, manufacturing, distributing, advertising, selling and/or
16 offering for sale in connection thereto any unauthorized promotional materials, labels,
17 packing or containers which picture, reproduce, copy or use the likenesses of or bear a
18 confusing similarity to any of the Chrome Hearts trademarks and/or copyrighted
19 works.

20 (c) Engaging in any conduct that tends falsely to represent that, or is
21 likely to confuse, mislead or deceive purchasers, Defendants' customers and/or
22 members of the public to believe, the actions of Defendants, the products sold by
23 Defendants in connection with Plaintiff, is sponsored, approved or licensed by
24 Plaintiff, or is affiliated with Plaintiff.

25 (d) Affixing, applying, annexing or using in connection with the
26 importation, manufacture, distribution, advertising, sale and/or offer for sale or other
27 use of any goods or services, a false description or representation, including words or
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1 other symbols, tending to falsely describe or represent such goods as being those of
2 Plaintiff.

3 4. Plaintiff and Defendants shall bear their own costs associated with this
4 action.

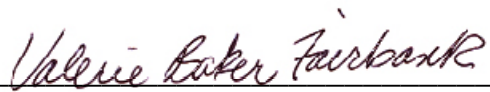
5 5. The execution of this Final Judgment by Counsel for the parties and/or by
6 the Defendants appearing *pro se* shall serve to bind and obligate the parties hereto.

7 6. The jurisdiction of this Court is retained for the purpose of making any
8 further orders necessary or proper for the construction or modification of this Final
9 Judgment, the enforcement thereof and the punishment of any violations thereof.

10 Except as otherwise provided herein, this action is fully resolved with prejudice as to
11 Defendants Melee 17, Inc. and Jay Choi.

12 **IT IS SO ORDERED.**

13
14 DATED: May 14, 2009


HON. VALERIE B. FAIRBANK
United States District Judge

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16
17 Respectfully Submitted by:
BLAKELY LAW GROUP

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19 By: _____
20 Cindy Chan
21 *Attorneys for Plaintiff*
Chrome Hearts, LLC